

JENN]



0000091049



Jennings Strouss & Salmon

Phoenix, Arizona 85004-2393
Telephone: 602.262.5911
Facsimile: 602.253.3255
www.jsslaw.com

MICHELE R. IRONS
Direct Line: 602.262.5983
Direct Fax: 602.495.2693
miron@jsslaw.com
Legal Assistant

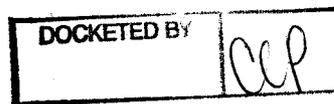
February 6, 2001

Arizona Corporation Commission
Docket Control
1200 W. Washington
Phoenix, AZ 85007

Arizona Corporation Commission
DOCKETED

FEB 07 2001

Re: *Santan Expansion Project*
Case No. 105



Dear Madam/Sir:

At the request of Line Siting Committee, enclosed for filing, are the original and 25 copies of the revised conditions and CEC order.

Very truly yours,

Michele R. Irons
Legal Assistant

MRI/mlt
Enclosure

cc All parties of record

Santan New Conditions

Introductory note: These new conditions are renumbered. Shown in italics is the derivation of each new condition. "Standard conditions" are the six conditions that usually accompany CEC orders for generation projects. "SRP conditions" are the 21 conditions submitted by SRP. The "Tobin conditions" are ten conditions summarized by Committee member Tobin, which summarize conditions proposed by various intervenors. The "Olea conditions" are the additional conditions suggested by Committee member Olea.

New Condition 1

This condition is Standard Condition 1

Applicant shall comply with all existing applicable air and water pollution control standards and regulations, and with all existing applicable ordinances, master plans and regulations of the State of Arizona, the Town of Gilbert, the County of Maricopa, the United States, and any other governmental entities having jurisdiction.

New Condition 2

This condition is Standard Condition 2. SRP requests six years, rather than five.

This authorization to construct the Project will expire five (5) years from the date the Certificate is approved by the Arizona Corporation Commission unless construction of the Project is completed to the point that the project is capable of operating at its rated capacity; provided, however, that Applicant shall have the right to apply to the Arizona Corporation Commission for an extension of this time limitation.

New Condition 3

This condition is Standard Condition 3

Applicant's project has two (2) approved transmission lines emanating from its power plant transmission switchyard and interconnecting with the existing transmission system. This plant interconnection must satisfy the single contingency criteria (N-1) without reliance on remedial action such as a generator unit tripping or load shedding.

New Condition 4

This condition is Standard Condition 4

Applicant shall use reasonable efforts to remain a member of WSCC, or its successor, and shall file a copy of its WSCC Reliability Criteria Agreement or Reliability Management System (RMS) Generator Agreement with the Commission.

New Condition 5

This condition is Standard Condition 5

Applicant shall use reasonable efforts to remain a member of the Southwest Reserve Sharing Group, or its successor.

New Condition 6

This condition is Standard Condition 6

Applicant shall meet all applicable requirements for groundwater set forth in the Third Management Plan for the Phoenix Active Management Area.

New Condition 7

This condition is a combination of old SRP conditions 1 and 4, Tobin condition 9, and Olea condition 13

With respect to landscaping and screening measures, including the improvements listed in the IGA, Applicant agrees to develop and implement a public process consistent with the process chart (Exhibit 89) presented during the hearings, modifying the dates in the IGA with the Town of Gilbert, if necessary, to correspond with the schedule in Exhibit 89.

The new Community Working Group (CWG) will consist of 12 members, selected as follows: three members selected by the Town of Gilbert, three members selected by neighborhood homeowner associations, three representatives selected by intervenors, and three members selected by SRP (not part of the aforementioned groups) who were part of the original community working group. Applicant and landscaping consultants shall act as advisors to the CWG. CWG meetings shall be noticed to and be open to the general public.

The objective of the CWG shall be to refine the landscaping and mitigation concept plans submitted during these hearings (Exhibit 88). The CWG shall work within the scope of commitment by Applicant for onsite and offsite improvements to achieve appropriate visual mitigation of plant facilities and to facilitate the design and installation of the concept plan components so as to maximize the positive impact on the community and

to increase, wherever possible, the values of the homes in the neighboring areas. The refinement of the mitigation plans shall be reasonably consistent with the planning criteria of the Town of Gilbert, the desires of neighboring homeowner associations, and the reasonable needs of Applicant.

Applicant shall retain an independent facilitator to conduct the CWG meetings. It shall be the role of the facilitator to assist in initial education and in conducting an orderly and productive process. The facilitator may, if necessary, employ dispute resolution mechanisms.

The CWG shall also assist in establishing reasonable maintenance schedules for landscaping in public-view areas of Applicant's plant site.

Applicant will develop with the Town of Gilbert a fund, to be administered by the Town of Gilbert, to provide for the construction and maintenance of off-site landscaping in the areas depicted in the off-site landscaping concepts as developed by the CWG.

New Condition 8

This condition is from SRP condition 2

The visual mitigation plans and concepts presented to these proceedings constitute a commitment level by Applicant. Applicant will not reduce the overall level of mitigation as set forth in its Application and this proceeding, except as may be reduced during the CWG process.

New Condition 9

This condition is from SRP condition 3 and Olea condition 7

Applicant shall, where reasonable to do so, plant on site trees by the fall of 2001. Because planting of trees must await the improvement of Warner Road and the design and construction of berms, this condition will largely apply to trees on the East side of the site, and some of the trees on the North side. All landscaping will be installed prior to the installation of major plant equipment, except where delays are reasonably necessary to facilitate construction activities.

New Condition 10

This condition derives from SRP condition 6

Applicant shall operate the Project so that during normal operations the Project shall not exceed the most restrictive of applicable (i) HUD

residential noise guidelines, (ii) EPA residential noise guidelines, or (iii) applicable City of Tempe standards. During construction Additionally, construction and operation of the facility shall comply with OSHA worker safety noise standards. Applicant agrees that it will use its best efforts to avoid during nighttime hours construction activities that generate significant noise. Additionally, Applicant agrees to comply with the standards set forth in the Gilbert Construction Noise Ordinance, Ordinance No. 1245, during construction of the project.

New Condition 11

This condition is SRP condition 8

Applicant will work with the Gilbert Unified School District to assist it in converting all or part of its school bus fleet to green diesel or other alternative fuel, as may be feasible and determined by Gilbert Unified School District, and will contribute \$330,000 to this effort. Applicant will support legislation to include green diesel as an alternative fuel for school funding purposes.

New Condition 12

This condition is SRP condition 9

Applicant shall work with all interested East Valley cities, including at a minimum, Mesa, Chandler, Queen Creek and Gilbert, to fund a Major Investment Study through the Regional Public Transit Authority to develop concepts and plans for commuter rail systems to serve the growing population of the East Valley. Applicant will contribute a maximum of \$400,000 to this effort.

New Condition 13

This condition derives from SRP condition 10 and Olea condition 12

Within six months of approval of this Order by the Arizona Corporation Commission, Applicant shall either relocate the gas metering facilities to the interior of the plant site or construct a solid wall between the gas metering facilities at the plant site and Warner Road. The wall shall be of such strength and size as to deflect vehicular traffic (including a fully loaded concrete truck) that may veer from Warner Road to the gas-metering site.

New Condition 14

This condition is SRP condition 11

Applicant will use only renewable water for cooling and power plant purposes. The water use for the plant will be consistent with the water plan submitted in this proceeding. Applicant will work with the Town of Gilbert to attempt to use available effluent water, where reasonably feasible.

New Condition 15

This condition is SRP condition 12

Applicant agrees to comply with all applicable federal, state and local regulations relative to storage and transportation of chemicals used at the plant.

New Condition 16

This condition derives from SRP condition 13

Applicant agrees to maintain on file with the Town of Gilbert safety and emergency plans relative to emergency conditions that may arise at the plant site. On at least an annual basis Applicant shall review and update, if necessary, the emergency plans. Copies of these plans will be made available to the public and on Applicant's web site. Additionally Applicant will cooperate with the Town of Gilbert to provide information to community residents relative to potential emergency situations arising from the plant or related facilities. Applicant agrees work with the Gilbert police and fire departments to jointly develop on site and off-site evacuation plans, as may be reasonably appropriate.

New Condition 17

This condition derives from SRP condition 14

In obtaining air offsets required by EPA and Maricopa County, Applicant will use its best efforts to obtain these offsets as close as practicable to the plant site. In the event that Applicant constructs other projects which require offsets, Applicant will make additional efforts to obtain, where reasonably feasible, offsets in the Gilbert area.

New Condition 18

This condition derives from SRP condition 15 and Olea condition 10

In order to reduce the possibility of generation shortages and the attendant price volatility that California is now experiencing, SRP will

operate the facilities consistent with its obligation to serve its retail load and to maintain a reliable transmission system within Arizona.

New Condition 19

This condition derives from SRP condition 16 and Olea condition 14

Beginning upon operation of the new units, Applicant will establish a citizens' committee to monitor air and noise compliance and water quality reporting. Applicant will establish on-site air and noise monitoring facilities to facilitate the process. Additionally Applicant shall work with Maricopa County and the Arizona Department of Environmental Quality to enhance monitoring in the vicinity of the plant site. Result of air monitoring will be made reasonably available to the public and to the citizens' committee. Applicant shall provide on and off site noise monitoring services (at least on a quarterly basis), testing those locations suggested by the citizens' committee.

New Condition 20

This condition derives from SRP condition 17

Applicant will explore, and deploy where reasonably practicable, the use of available technologies to reduce the size of the steam plumes from the unit cooling towers.

New Condition 21

This condition derives from SRP condition 18

SRP will, where practicable, work with El Paso Natural Gas Company to use the railroad easements for the installation of the new El Paso gas line.

New Condition 22

This condition derives from SRP condition 19

Other than the Santan/RS 18 lines currently under construction, Applicant shall not construct additional Extra High Voltage transmission lines (115kV and above) into the Santan site.

New Condition 23

This condition derives from SRP condition 21

Applicant will replace all Town of Gilbert existing street sweepers with certified PM10 efficient equipment. A PM10 efficient street sweeper is a street sweeper that has been certified by the South Coast Air Quality Management District (California) to comply with the District's performance standards under its Rule 1186 (which is the standard referenced by the Maricopa Association of Governments).

New Condition 24

This condition derives from Tobin condition 2, and from conversations this week with the Office of Environmental Health

Applicant has presented evidence to indicate that the project will not create health risks in the surrounding area. Nonetheless, because of concerns raised by neighbors to the plant site, Applicant will offer to work in a cooperative effort with the Office of Environmental Health of the Arizona Department of Health Services to enhance its environmental efforts.

New Condition 25

This condition derives from Tobin condition 4

Applicant will operate, improve and maintain the plant consistent with applicable environmental regulations and requirements of the Environmental Protection Agency, the Arizona Department of Environmental Quality, Maricopa County and the Town of Gilbert.

New Condition 26

This condition derives from Tobin condition 5 and Olea condition 1

Applicant will cooperate with Maricopa County in its efforts to establish appropriate standards relative to the use of distillate fuels in Valley generating facilities.

New Condition 27

This condition derives from Tobin condition 7

Applicant will install continuous emission monitoring equipment on the new units and will make available on its website emissions data from both the existing and new units according to EPA standards. Applicant will provide information to the public on its website in order to assist the public in interpreting the data.

New Condition 28

This condition derives from Tobin condition 8

Applicant will comply with the provisions of the Intergovernmental Agreement dated April 25, 2000 between Applicant and the Town of Gilbert.

New Condition 29

This condition derives from Tobin condition 6

During the proceeding neighbors to the plant site raise significant concern about the impact of the plant expansion on residential property values. Applicant has pointed out that many of the major conditions in this order, and other conditions applicable to Applicant, as well as the significant investment by Applicant, will enhance the general neighborhood and property values. These include

- major air quality enhancement measures and local offsets,
- extensive landscaping and screening requirements,
- significant contribution of new property taxes,
- the various community improvements including road improvements, trail and bridge construction and canal relocation,
- limits on future high voltage transmission,
- noise reduction and monitoring activities,
- construction limitations,
- air monitoring activities,
- contributions to the community including additional taxes, new PM10 certified street sweepers, and green diesel school buses,

In performing each of the conditions in this order Applicant, in conjunction where applicable with the Town of Gilbert and the plant site neighbors, shall consider and attempt to maximize the positive effect of its activities on the values of the homes in the surrounding neighborhoods.

New Condition 30

This condition derives from Olea condition 4

Applicant shall construct the auxiliary boiler stack at such height as may be determined by air modeling requirements. Applicant shall situate the auxiliary boiler stack so that it is not visible from off the plant site.

New Condition 31

This condition derives from Olea condition 8

Applicant will construct the HRSGs approximately 15 feet below grade and will construct the HRSGs so that the overall height of the HRSG module from the natural grade is no more than 80 feet.

New Condition 32

This condition is Olea condition 11

Applicant will complete the installation of the dry low NOX burners on the existing units prior to the construction of the new units.

1 **BEFORE THE ARIZONA POWER PLANT**
2 **AND TRANSMISSION LINE SITING COMMITTEE**

3 In the matter of the Application of Salt)
4 River Project Agricultural Improvement and)
5 Power District in conformance with the)
6 requirements of Arizona Revised Statutes)
7 Sections 40-360-03 and 40-360.06, for a)
8 Certificate of Environmental Compatibility)
9 authorizing the Expansion of its Santan)
10 Generating Station, located at the intersection)
11 of Warner Road and Val Vista Drive,)
12 in Gilbert, Arizona, by adding 825 megawatts)
13 of new capacity in the form of three combined)
14 cycle natural gas units, and associated)
15 intraplant transmission lines.)

Case No. 105

Docket No. L-00000B-00-0105

Decision No. _____

11 **CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY**

12 Pursuant to notice given as provided by law, the Arizona Power Plant and
13 Transmission Line Siting Committee (the "Committee") held public hearings at the
14 Dobson Ranch Inn, 1644 South Dobson Road, Mesa, Arizona, on September 14, 2000,
15 and various days following, in conformance with the requirements of Arizona Revised
16 Statutes section 40-360 *et seq.*, for the purpose of receiving evidence and deliberating
17 on the Application of Salt River Project Agricultural Improvement and Power District
18 ("Applicant") for a Certificate of Environmental Compatibility in the above-captioned
19 case (the "Application").

20 The following members or designees of members of the Committee were present
21 for the hearing on the Application:

22 Paul A. Bullis Chairman, Designee for Arizona Attorney General Janet
23 Napolitano

24 Steve Olea Designee of Chairman of the Arizona Corporation
25 Commission

1 different steam turbine configurations, and with different transmission connection
2 configurations, so long as the construction meets the general parameters set forth in the
3 application.

4 This certificate is granted upon the following conditions:

- 5 1. Applicant shall comply with all existing applicable air and water pollution
6 control standards and regulations, and with all existing applicable
7 ordinances, master plans and regulations of the State of Arizona, the
8 Town of Gilbert, the County of Maricopa, the United States, and any other
9 governmental entities having jurisdiction.
- 10 2. This authorization to construct the Project will expire five (5) years from
11 the date the Certificate is approved by the Arizona Corporation
12 Commission unless construction of the Project is completed to the point
13 that the project is capable of operating at its rated capacity; provided,
14 however, that Applicant shall have the right to apply to the Arizona
15 Corporation Commission for an extension of this time limitation.
- 16 3. Applicant's project has two (2) approved transmission lines emanating
17 from its power plant" transmission switchyard and interconnecting with the
18 existing transmission system. This plant interconnection must satisfy the
19 single contingency criteria (N-1) without reliance on remedial action such
20 as a generator unit tripping or load shedding.
- 21 4. Applicant shall use reasonable efforts to remain a member of WSCC, or
22 its successor, and shall file a copy of its WSCC Reliability Criteria
23 Agreement or Reliability Management System (RMS) Generator
24 Agreement with the Commission.
- 25 5. Applicant shall use reasonable efforts to remain a member of the
Southwest Reserve Sharing Group, or its successor.
6. Applicant shall meet all applicable requirements for groundwater set forth
in the Third Management Plan for the Phoenix Active Management Area.
7. With respect to landscaping and screening measures, including the
improvements listed in the IGA, Applicant agrees to develop and
implement a public process consistent with the process chart (Exhibit 89)
presented during the hearings, modifying the dates in the IGA with the
Town of Gilbert, if necessary, to correspond with the schedule in Exhibit
89.

The new Community Working Group (CWG) will consist of 12 members,
selected as follows: three members selected by the Town of Gilbert, three

1 members selected by neighborhood homeowner associations, three
2 representatives selected by intervenors, and three members selected by
3 SRP (not part of the aforementioned groups) who were part of the original
4 community working group. Applicant and landscaping consultants shall
act as advisors to the CWG. CWG meetings shall be noticed to and be
open to the general public.

5 The objective of the CWG shall be to refine the landscaping and mitigation
6 concept plans submitted during these hearings (Exhibit 88). The CWG shall
7 work within the scope of commitment by Applicant for onsite and offsite
8 improvements to achieve appropriate visual mitigation of plant facilities and
9 to facilitate the design and installation of the concept plan components so as
10 to maximize the positive impact on the community and to increase, wherever
possible, the values of the homes in the neighboring areas. The refinement
of the mitigation plans shall be reasonably consistent with the planning
criteria of the Town of Gilbert, the desires of neighboring homeowner
associations, and the reasonable needs of Applicant.

11 Applicant shall retain an independent facilitator to conduct the CWG
12 meetings. It shall be the role of the facilitator to assist in initial education and
13 in conducting an orderly and productive process. The facilitator may, if
14 necessary, employ dispute resolution mechanisms.

15 The CWG shall also assist in establishing reasonable maintenance
16 schedules for landscaping in public-view areas of Applicant's plant site.

17 Applicant will develop with the Town of Gilbert a fund, to be administered by
18 the Town of Gilbert, to provide for the construction and maintenance of off-
19 site landscaping in the areas depicted in the off-site landscaping concepts as
20 developed by the CWG.

- 21 8. The visual mitigation plans and concepts presented to these proceedings
22 constitute a commitment level by Applicant. However, Applicant will not
23 reduce the overall level of mitigation as set forth in its Application and this
24 proceeding, except as may be reduced during the CWG process.
- 25 9. Applicant shall, where reasonable to do so, plant on site trees by the fall of
2001. Because planting of trees must await the improvement of Warner
Road and the design and construction of berms, this condition will largely
apply to trees on the East side of the site, and some of the trees on the
North side. All landscaping will be installed prior to the installation of major
plant equipment, except where delays are reasonably necessary to facilitate
construction activities.
10. Applicant shall operate the Project so that during normal operations the
Project shall not exceed the most restrictive of applicable (i) HUD residential

1 noise guidelines, (ii) EPA residential noise guidelines, or (iii) applicable City
2 of Tempe standards. During construction Additionally, construction and
3 operation of the facility shall comply with OSHA worker safety noise
4 standards. Applicant agrees that it will use its best efforts to avoid during
5 nighttime hours construction activities that generate significant noise.
6 Additionally, Applicant agrees to comply with the standards set forth in the
7 Gilbert Construction Noise Ordinance, Ordinance No. 1245, during
8 construction of the project.

- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
11. Applicant will work with the Gilbert Unified School District to assist it in converting all or part of its school bus fleet to green diesel or other alternative fuel, as may be feasible and determined by Gilbert Unified School District, and will contribute \$330,000 to this effort.
 12. Applicant shall work with all interested East Valley cities, including at a minimum, Mesa, Chandler, Queen Creek and Gilbert, to fund a Major Investment Study through the Regional Public Transit Authority to develop concepts and plans for commuter rail systems to serve the growing population of the East Valley. Applicant will contribute a maximum of \$400,000 to this effort.
 13. Within six months of approval of this Order by the Arizona Corporation Commission, Applicant shall either relocate the gas metering facilities to the interior of the plant site or construct a solid wall between the gas metering facilities at the plant site and Warner Road. The wall shall be of such strength and size as to deflect vehicular traffic (including a fully loaded concrete truck) that may veer from Warner Road to the gas-metering site.
 14. Applicant will use only renewable water for cooling and power plant purposes. The water use for the plant will be consistent with the water plan submitted in this proceeding. Applicant will work with the Town of Gilbert to attempt to use available effluent water, where reasonably feasible.
 15. Applicant agrees to comply with all applicable federal, state and local regulations relative to storage and transportation of chemicals used at the plant.
 16. Applicant agrees to maintain on file with the Town of Gilbert safety and emergency plans relative to emergency conditions that may arise at the plant site. On at least an annual basis Applicant shall review and update, if necessary, the emergency plans. Copies of these plans will be made available to the public and on Applicant's web site. Additionally Applicant will cooperate with the Town of Gilbert to provide information to community residents relative to potential emergency situations arising from the plant or related facilities. Applicant agrees work with the Gilbert police and fire departments to jointly develop on site and off-site evacuation plans, as may

1 be reasonably appropriate.

2 17. In obtaining air offsets required by EPA and Maricopa County, Applicant will
3 use its best efforts to obtain these offsets as close as practicable to the plant
4 site. In the event that Applicant constructs other projects which require
5 offsets, Applicant will make additional efforts to obtain, where reasonably
6 feasible, offsets in the Gilbert area.

7 18. In order to reduce the possibility of generation shortages and the attendant
8 price volatility that California is now experiencing, SRP will operate the
9 facilities consistent with its obligation to serve its retail load and to maintain a
10 reliable transmission system within Arizona.

11 19. Beginning upon operation of the new units, Applicant will establish a citizens'
12 committee to monitor air and noise compliance and water quality reporting.
13 Applicant will establish on-site air and noise monitoring facilities to facilitate
14 the process. Additionally Applicant shall work with Maricopa County and the
15 Arizona Department of Environmental Quality to enhance monitoring in the
16 vicinity of the plant site. Result of air monitoring will be made reasonably
17 available to the public and to the citizens' committee. Applicant shall provide
18 on and off site noise monitoring services (at least on a quarterly basis),
19 testing those locations suggested by the citizens' committee.

20 20. Applicant will explore, and deploy where reasonably practicable, the use of
21 available technologies to reduce the size of the steam plumes from the unit
22 cooling towers.

23 21. SRP will, where practicable, work with El Paso Natural Gas Company to use
24 the railroad easements for the installation of the new El Paso gas line.

25 22. Other than the Santan/RS 18 lines currently under construction, Applicant
shall not construct additional Extra High Voltage transmission lines (115kV
and above) into the Santan site.

Applicant will replace all Town of Gilbert existing street sweepers with
certified PM10 efficient equipment. A PM10 efficient street sweeper is a
street sweeper that has been certified by the South Coast Air Quality
Management District (California) to comply with the District's performance
standards under its Rule 1186 (which is the standard referenced by the
Maricopa Association of Governments).

24 24. Applicant has presented evidence to indicate that the project will not create
25 health risks in the surrounding area. Nonetheless, because of concerns
raised by neighbors to the plant site, Applicant will offer to work in a
cooperative effort with the Office of Environmental Health of the Arizona
Department of Health Services to enhance its environmental efforts.

1
2 25. Applicant will operate, improve and maintain the plant consistent with
3 applicable environmental regulations and requirements of the Environmental
4 Protection Agency, the Arizona Department of Environmental Quality,
5 Maricopa County and the Town of Gilbert.

6
7 26. Applicant will cooperate with Maricopa County in its efforts to establish
8 appropriate standards relative to the use of distillate fuels in Valley
9 generating facilities.

10
11 27. Applicant will install continuous emission monitoring equipment on the new
12 units and will make available on its website emissions data from both the
13 existing and new units according to EPA standards. Applicant will provide
14 information to the public on its website in order to assist the public in
15 interpreting the data.

16
17 28. Applicant will comply with the provisions of the Intergovernmental
18 Agreement dated April 25, 2000 between Applicant and the Town of Gilbert.

19
20 29. During the proceeding neighbors to the plant site raise significant concern
21 about the impact of the plant expansion on residential property values.
22 Applicant has pointed out that many of the major conditions in this order, and
23 other conditions applicable to Applicant, as well as the significant investment
24 by Applicant, will enhance the general neighborhood and property values.
25 These include

- major air quality enhancement measures and local offsets,
- extensive landscaping and screening requirements,
- significant contribution of new property taxes,
- the various community improvements including road improvements, trail
and bridge construction and canal relocation,
- limits on future high voltage transmission,
- noise reduction and monitoring activities,
- construction limitations,
- air monitoring activities,
- contributions to the community including additional taxes, new PM10
certified street sweepers, and green diesel school buses,

26
27 In performing each of the conditions in this order Applicant, in conjunction
28 where applicable with the Town of Gilbert and the plant site neighbors, shall
29 consider and attempt to maximize the positive effect of its activities on the
30 values of the homes in the surrounding neighborhoods.

31
32 30. Applicant shall construct the auxiliary boiler stack at such height as may be
33 determined by air modeling requirements. Applicant shall situate the
34 auxiliary boiler stack so that it is not visible from off the plant site.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

- 31. Applicant will construct the HRSGs approximately 15 feet below grade and will construct the HRSGs so that the overall height of the HRSG module from the natural grade is no more than 80 feet.
- 32. Applicant will complete the installation of the dry low NOX burners on the existing units prior to the construction of the new units.

GRANTED this ____ day of January, 2001

ARIZONA POWER PLANT AND TRANSMISSION
LINE SITING COMMITTEE

By Paul A. Bullis
Its Chairman

1 **APPROVED BY ORDER OF THE ARIZONA CORPORATION COMMISSION**

2
3
4 _____
5 Chairman

Commissioner

Commissioner

6
7 In Witness hereof, I, Brian C. McNeil,
8 Executive Secretary of the Arizona
9 Corporation Commission, set my hand
10 and cause the official seal of this
 Commission to be affixed this ____ day
 of _____, 2000.

11 By: _____
12 Brian C. McNeil
13 Executive Secretary

14
15 Dissent: _____
16
17
18
19
20
21
22
23
24
25